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4 BILL NO. S-76-09-18

SPECIAL ORDINANCE NO. S-160-76

6 AN ORDINANCE approving a contract
7 with Dailey Asphalt Products Co.,
8 Inc., for construction of the
9 Foellinger Theater Parking Lot in
10 Franke Park.

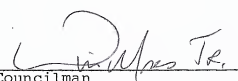
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12 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
13 FORT WAYNE, INDIANA:

14 SECTION 1. That the contract dated August 30, 1976,
15 between the City of Fort Wayne, by and through its Mayor and the
16 Board of Public Works and Dailey Asphalt Products Co., Inc., for:

17 Construction of the Foellinger Theater Parking
18 Lot in Franke Park and known as Improvement
19 Resolution 5720-1976.

20 for a total cost of \$65,865.51, of which the Park Department
21 shall pay from their approved Revenue Sharing, all as more part-
22 icularly set forth in said contract which is on file in the Office
23 of the Board of Public Works and is by reference incorporated
24 herein, made a part hereof and is hereby in all things ratified,
25 confirmed and approved.

26 SECTION 2. This Ordinance shall be in full force
27 and effect from and after its passage and approval by the Mayor.

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Councilman

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by Moses, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Public Works (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____ the day of _____, 1976, at _____ o'clock P.M., E.S.T.

DATE: 9-14-76

CITY CLERK

Read the third time in full and on motion by Charles W. Westerman, seconded by Hinga, and duly adopted, placed on its passage. PASSED (lost) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>8</u>			<u>1</u>	
BURNS	<u>X</u>				
HINGA	<u>X</u>				
HUNTER	<u>X</u>				
MOSES	<u>X</u>				
NUCKOLS	<u>✓</u>				
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
STIER				<u>X</u>	
TALARICO	<u>X</u>				

DATE: 9-28-76

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION)

ORDINANCE (RESOLUTION) No. 2-160-76 on the 28th day of Sept., 1976.
ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of Sept., 1976, at the hour of 11:00 o'clock A. M., E.S.T.

CITY CLERK

Approved and signed by me this 1st day of October, 1976, at the hour of 8:00 o'clock A. M., E.S.T.

MAYOR

Bill No. S-76-09-18

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance
approving a contract with Dailey Asphalt Products Co., Inc., for
construction of the Foellinger Theater Parking Lot in Franke Park

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

Winfield C. Moses, Jr. - Chairman

Donald J. Schmidt - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

William T. Hinga

Winfield C. Moses Jr.

Donald J. Schmidt

Vivian G. Schmidt

Paul M. Burns

William T. Hinga

DATE 4-28-76

CONCURRED IN

CHARLES W. ...



THE CITY OF FORT WAYNE

board of public works
city-county building
one main street
fort wayne, indiana 46802

July 28, 1976

The Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Pursuant to Councilmanic approval of Revenue Sharing Funds for Park Board Capital Improvements, among which is the parking lot for the Foellinger Theater, the Board of Works has engineered and received bids on the project. Dailey Asphalt Products Company, Inc. was awarded the contract in the amount of \$65,865.51. (See attached bid tabulation)

Considering the urgency for completing as much of the work as possible before the opening show on August 12, the Board respectfully requests a "Prior Approval" of the contract.

A Special Ordinance will be submitted for formal approval August 10, 1976.

Sincerely,

Chairman, Board of Public Works

Mayer

/eis
Attachment

APPROVED:

William H. Upes SR Samuel I. Teteris John Sheafpole
Jos L. Stutz Fredrick R. Kuyter Thomas M. K. Schmitt
Edw. W. Sauer William T. Terisa

MEMBERS OF THE COMMON COUNCIL

ATTEST:
Charles W. Westerman

City Clerk

AN EQUAL OPPORTUNITY EMPLOYER



PROJECT Parking Lot for Foellinger Theater in Franko Park BID ANALYSIS SHEET

DATE July 21, 1976 RES. NO. 5720-1976

MATERIAL

OFFICE OF CITY ENGINEER
FORT WAYNE INDIANA

CONTRACTORS			ESTIMATE	EXTENSION	Rieth-Riley		Dailey Asphalt		Brooks Construction		Hipskind Asphalt Corp.		Wayne Asphalt			
STREETS— QUAN	ALLEYS— UNIT	SIDEWALKS MATERIAL			UNIT BID	TOTAL BID	UNIT BID	TOTAL BID	UNIT BID	TOTAL BID	UNIT BID	TOTAL BID	UNIT BID	TOTAL BID	UNIT BID	TOTAL BID
	L.S.	Excavate, scarify, grade and compact subgrade		8,000.00		3,281.00		4,520.00		4,805.75		6,000.00		10,000.00		
	L.S.	Construction Engineering		5,000.00		975.00		500.00		2,000.00		3,500.00		500.00		
16,091	Sq.Yd.	6" Water Macadam Base (Including Weed Killer)	1.50	24,136.50	1.75	28,159.25	1.75	28,159.25	1.80	28,961.80	1.75	28,159.25	1.65	26,550.15		
16,091	Sq.Yd.	Double Chip & Seal	1.30	20,918.30	.85	13,677.35	1.16	18,665.56	1.08	17,378.28	.95	15,447.36	.94	15,125.54		
20	Each	Cast Adjusted to Grade	80.00	1,600.00	70.24	1,404.80	75.00	1,500.00	125.00	2,500.00	175.00	3,500.00	120.00	2,000.00		
35	Ton	6" Hot Asphalt 53B	25.00	875.00	25.91	906.85	19.50	682.50	35.00	1,225.00	30.00	1,050.00	20.00	700.00		
10	L.F.	12" CMP	12.00	120.00	14.25	142.50	8.00	80.00	20.00	200.00	20.00	200.00	12.00	100.00		
19	Ton	Hot Asphalt Surface	25.00	475.00	25.68	487.92	20.00	380.00	35.00	675.00	30.00	570.00	25.00	475.00		
1,875	Sq.Ft.	Curbside Walk	2.02	3,787.50	2.57	4,818.75	1.40	2,625.00	1.85	3,468.75	1.65	3,093.75	2.25	4,218.75		
						53,953.42		57,112.31		61,206.58		61,520.36		59,669.44		
		ALTERNATE														
2,738	Sq.Ft.	Curbside Walk	2.10	5,750.00	2.57	7,036.66	1.40	3,833.20	1.85	5,065.30	1.65	4,512.70	2.25	6,160.50		
410	Each	7" Precast Concrete Pumper Guard	21.00	8,610.00	24.61	10,008.30	12.00	1,920.00	16.50	6,765.00	25.00	10,250.00	15.00	6,560.70		
						71,088.38		65,865.51		73,036.88		76,288.06		72,389.94		

CONTRACT

130/76
CITY PAID
SUBJECT TO COUNCILMANIC APPROVAL
PRELIMINARY MEETING
RATIFICATION

This Agreement, made and entered into this 30 day of August, 1976

by and between -----

-----DAILEY ASPHALT PRODUCTS CO., INC.-----

hereinafter called "Contractor" and the City of Fort Wayne, Indiana, a municipal corporation, hereinafter called "City," under and by virtue of an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all amendatory and supplementary acts thereto, WITNESSETH: That the Contractor covenants and agrees to improve

Resolution No. 5720-1976: Foellinger Theater Parking Lot in Franke Park.

by grading and paving the roadway to a width of XXXXXXXXXX feet with XXXXXXXXXXXXXXXXXXXX

XX

upon a foundation and with curbing as fully set out in the specifications hereinafter referred to, in a good and workmanlike manner and to the entire satisfaction of said City, in accordance with Improvement

Resolution No. 5720-76 and at the following price per lineal foot:

At the following prices:

Excavate, scarify, grade and compact subgrade	Four thousand five hundred twenty dollars and no cents, Lump Sum	4,520.00
Construction Engineering	Five hundred dollars and no cents, Lump Sum	500.00
6" Water Macadam Base (Including weed killer)	One dollar and seventy-five cents, per square yard	1.75
Double-Chip and Seal	One dollar and sixteen cents, per square yard	1.16
Casting adjusted to grade	Seventy-five dollars and no cents, Each	75.00
6" Hot Asphalt Base, #53B	Nineteen dollars and fifty cents, per ton	19.50
12" C.M.P.	Eight dollars and no cents, per lineal foot	8.00
Hot Asphalt Surface	Twenty dollars and no cents, per ton	20.00
Curbside Walk	One dollar and forty cents, per square foot	1.40
Curbside Walk	One dollar and forty cents, per square foot	1.40
7' Precast Concrete Bumper Guards	Twelve dollars and no cents, per each	12.00

The Contractor will furnish immediately a certificate from the Industrial Board of the State of Indiana, that he has complied with Sections 5, 68, 69 of the Workmen's Compensation Act, approved March 14, 1929, in accordance with Section 14 of the Compensation Act (Acts 1929, page 545, being Section 9459 of Burns Annotated Statutes, Volume IV). (Section 40-1214 Burns Annotated 1952 Revision - Volume VIII).

A copy of General Ordinance No. G-60-66, concerning discriminating in employment under municipal contracts, is attached and incorporated herein by reference.

GUARANTY BOND

Know All Men by These Presents, That we-----

-----DAILEY ASPHALT COMPANY, INC.-----Contractors

as principal, and-----

-----ST. PAUL FIRE AND MARINE INSURANCE COMPANY-----as surety

are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of SIXTY-FIVE THOUSAND,

EIGHT HUNDRED SIXTY-FIVE DOLLARS AND FIFTY-ONE CENTS-----

-----(\$5,865.51)
for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs,
executors, administrators and assigns firmly by these presents.

The conditions of the above obligation are, that whereas the said-----

-----DAILEY ASPHALT COMPANY, INC.-----

did on the-----day of-----

-----, enter into a contract with the City of Fort Wayne to ~~construct~~

to Improve Foellinger Theater Parking Lot ~~pavement~~

on-----Street from-----

-----according to certain plans and specifications, and

for a period of three years
also warranting and guaranteeing the work/material and condition of the pavement thereof as provided

in aforesaid contract and specifications. Now if the said-----

DAILEY ASPHALT COMPANY, INCORPORATED shall faithfully perform and fulfill all the require-

ments of said warranty and guaranty, and make all repairs required under said guarantee; and in the
manner provided for, then this bond to be null and void, otherwise to be in full force and effect.

WITNESS our hands and seals this 28 day of July, 1976

YASTE, ZENT & RYE, INC.
Authorized Agents

DAILEY ASPHALT COMPANY, INC. (SEAL)

BY: Donald L. Burton BY: W. D. Dailey, Jr. (SEAL)

ST. PAUL FIRE & MARINE INSURANCE CO.

YASTE, ZENT & RYE, INC.

ITS: Dane S. Ross (SEAL)

Attorney-in-fact

Approved this 30 day of August, 1976

Edward W. LaMan
May J. Scott
Board of Public Works.

LIABILITY BOND

Know All Men by These Presents, That we-----

-----DAILEY ASPHALT COMPANY, INC.-----

as principal, and -----ST. PAUL FIRE AND MARINE INSURANCE COMPANY-----

as surety, are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of SIXTY-FIVE

THOUSAND, EIGHT HUNDRED SIXTY-FIVE DOLLARS AND FIFTY-ONE CENTS-----

for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs, executors, administrators and assigns firmly by these presents.

(\$5,865.51)

The conditions of the above obligation are such, that if the above named party of the first part shall

faithfully comply with the foregoing contract made and entered into the-----

day of-----, with the City of Fort Wayne, Indiana, and shall faithfully fulfill all the conditions and stipulations therein contained, except the warranty and guaranty of the pavement as to the workmanship, material and conditions for the period of three (3) years, according to the true intent and meaning thereof in all respects, then this obligation to be void, otherwise to be and remain in full force and virtue in law and in the event the said City shall extend the time for the completion of said work, such extension shall not in any way release the sureties on this bond.

WITNESS our hands and seals this 28 day of July, 1976

YASTE ZENT & RYE, INC.

Authorized Agents

BY: Donald E. Zent

YASTE, ZENT & RYE, INC.

DAILEY ASPHALT COMPANY, INC.

(SEAL)

BY: R. W. Dailey

(SEAL)

ST. PAUL FIRE & MARINE INSURANCE CO.

ITS: Jane I. Ross

Attorney-in-fact

(SEAL)

(SEAL)

Approved this 30

day of August, 1976

Edward H. Roman

May G. Scott

Board of Public Works.

COMPLETED IN STREET ENGINEERING DEPARTMENT

JULY 26, 1976

TITLE OF ORDINANCE SPECIAL ORDINANCE - Contract of Dailey Asphalt Products Co., Inc.

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE Contract of Dailey Asphalt Products Co., Inc. in amount of

\$65,865.51 covers the construction of the Foellinger Theater Parking Lot in

Franke Park and known as Improvement Resolution 5720-1976. This was the low bid of

five received. (Tabulation attached)

(SEE ATTACHED PRIOR APPROVAL)

EFFECT OF PASSAGE Parking Lot construction as set out in Park Board Capital

Improvements

EFFECT OF NON-PASSAGE Prior Approval received

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) Cost to Park Department from

their approved Revenue Sharing is \$65,865.51

ASSIGNED TO COMMITTEE Public Works